IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.2411 OF2006

Arun Krishna Nikam .. Petitioner.
Vs.
Raghunath Laxman Nikam & Ors. .. Respondents.

Mr.A.J.Kenjale for the petitioner.

CORAM : D.B.BHOSALE, J.
DATED : 18TH SEPTEMBER, 2006

P.C.:

. Heard learned counsel for the petitioner.

2. This petition is arising from the order dated 14.9.2005 passed on the application filed by the petitioner under section 10 of the Code of Civil Procedure seeking stay to regular civil suit no.44/1996. This suit is filed by the respondent-plaintiff for injunction simplicitor. Keeping that in view and considering the reasons recorded by the court below in paragraph 7 and 8 making reference to the orders passed by this court as also in tenancy proceedings, the learned Judge, in my opinion, has rightly rejected the application and it does not suffer from any infirmity warranting interference by this court under Article 227 of the Constitution of India. The writ petition is, accordingly, dismissed.

(D.B.Bhosale, J.)